

1 Arif Durrani #09027-014
 2 Propria Persona
 3 FCI-Victorville I
 4 P.O. Box 5300
 5 Adelanto, CA 92301

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 CLERK, U.S. DISTRICT COURT
 OCT - 2 2006
 CENTRAL DISTRICT OF CALIFORNIA
 BY DEPUTY

IN THE UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

8 ARIF DURRANI,

9 Petitioner,

10 v.

11 S.A. HOLENCIK,

12 Respondent.

Case No. CV 06-06281

PA
 PETITION FOR WRIT OF HABEAS
 CORPUS/ERROR PURSUANT TO
 28 U.S.C. §2241

IMMEDIATE RELEASE

14
 15 COMES NOW, the Petitioner, Arif Durrani, acting in
 16 propria persona, respectfully submits this Petition for Writ of
 17 Habeas Corpus/Error, pursuant to 28 U.S.C. §2241 and all other
 18 Federal Rules, Regulations and Procedures.

19 The Petitioner is currently incarcerated at the Federal
 20 Correctional Institution-Victorville in Adelanto, California and
 21 is in propria persona. Therefore, the Petitioner is without and
 22 lacking counsel and prays that this Petition will suffice the
 23 Court in the proper filing and procedure.

24 The Petitioner hereby moves this Honorable Court for an
 25 **immediate RELEASE**. If person has been extradited for one of the
 26 offense(s) and tried...."[E]xtradition from foreign country -

27 Person who had been extradited from ~~Adelanto~~ County for trial on
 28 charge of particular offense, but was tried for different offenses

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1 in violation of Extradition Treaty between United States and such
 2 foreign country, was entitled to RELEASE on habeas corpus by the
 3 federal court on ground that state court was without jurisdiction."
 4 [Cosgrove v. Winney, (1899) 174 U.S. 64, 43 L.Ed 897, 19 S.Ct.
 5 598; and Cohn v. Jones, (1900, DC Iowa) 100 F 639].

6 The Petitioner prevailed on the fraudulent Indictment
 7 (No. CR 99-470-PA) which was DISMISSED with prejudice by the gov-
 8 ernment on September 23, 2005, and he must be RELEASED and given
 9 REASONABLE TIME to return to the country of asylum he was ille-
 10 gally abducted from by the United States Government Agents.

11 "[W]here accused person was extradited and brought up to
 12 the United States from Canada....it was held that he had not been
 13 allowed reasonable length of time after final disposition of charge
 14 on which he had been extradited, to return to Canada, and that
 15 second arrest was illegal." (See: Cosgrove v. Winney, (1899) 174
 16 U.S. 64, 43 L.Ed 897, 19 S.Ct. 598).

17 "[U]ntil he had reasonable time to return to country from
 18 which he was brought." (See U.S. v. Rauscher, (1866) 119 U.S.
 19 407, 30 L.Ed 425, 7 S.Ct. 234; see also Kev. v. Ill, 7 S.Ct. 225
 20 (1886) 119 U.S. 436, 30 L.Ed 42).

21 The Petitioner was not allowed to return to the country
 22 from whose asylum he was abducted and kidnapped from by three (3)
 23 U.S. Marshals from the Central District of California, pursuant
 24 to a fraudulent Indictment (No. CR 99-470-PA) which was DISMISSED
 25 on September 23, 2005.

26 "[P]erson entitled to exemption from prosecution for
 27 different offense from that for which he had been extra-
 28 dited, until reasonable opportunity had been accorded him
 to return to country from which he was extradited, could

1 not waive right of exemption so as to preclude him from taking
2 advantage of it." (Ex parte Coy (1887 DG Tex) 32 F 911)

3 Assistant U.S. Attorney, William A. Crowfoot, conspired
4 with AUSA, William P. Cole, in violation of 18 U.S.C.S. §§241 and
5 242, to hold the Petitioner on behalf of AUSA, William P. Cole;
6 even though AUSA, William A. Crowfoot, knew it was illegal to
7 hold the Petitioner after the Indictment (No. CR 99-470-PA) was
8 DISMISSED.

9 The Petitioner was only abducted for the fraudulent
10 Indictment (No. CR 99-470-PA) and he must be allowed to RETURN
11 back to the country from whose asylum the Petitioner was abducted
12 and kidnapped, after conclusion of the proceeding(s) and DISMISSAL
13 of the Indictment (No. CR 99-470-PA).

14 The Petitioner requests discovery of (a) all correspon-
15 dence, notes and any other means of communication between the
16 U.S. Attorney's Office in the Central District and the U.S.
17 Attorney's Office in the Southern District, to establish that
18 both AUSA, William A. Crowfoot, and AUSA, William P. Cole, con-
19 ppired under Titles 18 U.S.C.S. §§241 and 242 to violate the
20 Petitioner's constitutionally protected right(s) and had kidnapped
21 the Petitioner without extradition on the fraudulent Indictment
22 (No. CR 99-470-PA); and (b) all documents, correspondence between
23 any agency, U.S. Attorney's Office, and the U.S. Embassy in
24 Mexico City, U. S. Consulate in Tijuana, Mexico, and any office,
25 agency of the Mexican Government that was instrumental in the
26 pre-planning, arrangement and actual kidnapping of the Petitioner
27 from Mexico to Los Angeles, California; and (c) all correspondence

notes, etc., that will establish violations of the Privacy Act by Javier Pacheco and Robert Federico, when they bribed the Mexican Immigration Authorities and provided them with information that is covered under the Petitioner's Privacy Act. (Mr. Pacheco and Mr. Federico are both with the U.S. Consulate in Tijuana, Mexico).

These documents are essential and must be DISCLOSED to the Petitioner in order for him to have this §2241 Motion/Writ of Habeas Corpus adjudicated.

THEREFORE, the Petitioner requests that he be RELEASED immediately and also be PROVIDED the documents requested. The Petitioner has shown good faith and good cause to GRANT this Motion in the interest of justice.

RESPECTFULLY SUBMITTED on this 28th day of August, 2006.

Arif Durrani/Petitioner
Propria Persona